

## AN ACT

ENTITLED, An Act to revise certain provisions regarding the American Dairy Association and the state dairy check-off program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 40-31 be amended by adding thereto a NEW SECTION to read as follows:

The secretary of agriculture may enter agreements to fund or conduct dairy promotion efforts in cooperation with regional and national dairy promotion programs, on behalf of the American Dairy Association of South Dakota.

Section 2. That § 40-31-2 be amended to read as follows:

40-31-2. There is hereby created an American Dairy Association of South Dakota. This association shall be composed of three dairy producers and two dairy processors who are residents of this state, with the secretary of agriculture or the secretary's representative, the head of the dairy department of the South Dakota State University, and the state executive member of the American Dairy Association acting as nonvoting members.

Section 3. That § 40-31-3 be amended to read as follows:

40-31-3. The Governor shall appoint the producer members of the American Dairy Association from among a list of nominees supplied by any statewide nonprofit dairy organization incorporated under state law, for a period of three years, beginning on July first with one producer member to be appointed each year as the terms of previous appointees expire. The list of nominees shall comprise at least twice the number of appointments to be made.

Section 4. That § 40-31-9 be amended to read as follows:

40-31-9. There is hereby levied an assessment of ten cents per hundred weight on all milk produced in the state. However, the provisions of this section do not apply to milk produced outside

of the state or to milk consumed upon the farm where produced.

Section 5. That § 40-31-12 be amended to read as follows:

40-31-12. All dealers and producers charged under this chapter with the obligation of collecting and remitting the assessment imposed by this chapter shall keep a complete and accurate record of all milk subject to assessments by this chapter which may be handled. The record shall be in such form and contain such information and be reported to the South Dakota Department of Agriculture at such times as the American Dairy Association may prescribe. The record shall be preserved by the person charged with keeping the record for a period of two years. The record is subject to inspection by the South Dakota Department of Agriculture.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1022

\_\_\_\_\_  
Chief Clerk  
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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1022  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State